

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FERNANDA GARBER, et al.,

Plaintiffs,

v.

OFFICE OF THE COMMISSIONER OF  
BASEBALL, et al.,

Defendants.

12-CV-3704 (SAS)

ECF Case

**Electronically Filed**

**MOTION FOR SUMMARY JUDGMENT BY DEFENDANTS NEW YORK YANKEES  
PARTNERSHIP AND YANKEES ENTERTAINMENT & SPORTS NETWORK, LLC**

Pursuant to Rule 56(a) of the Federal Rules of Civil Procedure, defendants New York Yankees Partnership (“NYYP”) and Yankees Entertainment & Sports Network, LLC (“YES”) hereby move for summary judgment on all claims set forth in plaintiffs’ Second Amended Complaint (Counts One, Two, Three and Four).

As grounds for its motion, NYYP, which is a Major League Baseball club, respectfully refers the Court to the memorandum of law and statement of material facts filed today by the other Major League Baseball club defendants in this action; and to the testimony and other discovery material contained in the Joint Appendix in Support of Defendants’ Motions for Summary Judgment, also filed today.

As grounds for its motion, YES, which is a regional sports network (“RSN”), respectfully refers the Court to the memoranda of law and statements of material facts filed today by the other RSN defendants in this action; and to the testimony and other discovery material contained in the Joint Appendix in Support of Defendants’ Motions for Summary Judgment.

Dated: May 19, 2014  
New York, New York

/s/  
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